IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

Crl.Rev.Pet.No. 899 of 1999()

CRA.131/1994 of SESSIONS COURT, KOTTAYAM DT.10.9.99.
CC.45/1993 of JUDL.MAGISTRATE OF FIRST CLASS-I, KANJIRAPPALLY DT.6.7.94.

REVN. PETITIONER: ACCUSED/ APPELLANT

MAHIN S/O. HUSSIAN, CHUNDUVILA VEEDU,
VARIKKANI KARA,
ERUMELY VADAKKU VILLAGE, KOTTAYAM.

BY ADV. SRI.M.J.THOMAS

RESPONDENT: RESPONDENT/ COMPLAINANT

THE STATE OF KERALA, REP.BY THE
SUB INSPECTOR OF POLICE, MUNDAKKAYAM

BY PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.899 of 1999

DATED THIS THE 20th June 2007

ORDER

The revision petitioner stands convicted for the offence under Section 379 IPC and sentenced to undergo rigorous imprisonment for six months as modified by the appellate court.

2. The prosecution case is that on 5-10-1992 at about 5 p.m.the accused snatched the citizen wrist watch worth Rs. 750/- from the left wrist of CW1, the de facto complainant, while he was walking through the road near Mundakayam T.B.Mundakayam Panchayat office. It is the version that the accused asked for money from PW1 and as he did not oblige, he snatched the wrist watch and left.

3. Counsel for the revision petitioner has only sought for modification of the sentence. It is pointed out that the incident has taken place in 1992 and 15 years have elapsed since the commencement of the proceedings. It is also pointed out that the revision petitioner has to maintain a family consisting of wife and children.

In the circumstances and considering the value of the article snatched away, I find that the sentence is liable to be modified.

Hence the sentence is modified to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for one month.

The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks.

ORDER ON CRL.M.P.NO. 4188 OF 1999 IN CRL.R.P.NO. 899 OF 1999

DISMISSED.

20-6-2007 SD/-K.R.UDAYABHANU, JUDGE

TRUE COPY

P.S.TO JUDGE

K.R.UDAYABHANU, J

CRL.R.P.NO.899 OF 1999

ORDER

20-6--2007